REMARKS

Claims 1-33 were presented for examination and were rejected. Applicants are hereby canceling claims 18-19; and amending claims 1, 2, 12, 13, 20-22, 27, 28, and 30-33. Support for all amendments is found in the application as originally filed. Reconsideration of this application as amended, and allowance of all claims remaining herein, claims 1-17 and 20-33 as amended, are hereby respectfully requested.

On the Office Action Summary, item 10, the Examiner did not indicate whether he accepted the drawings that were filed on October 29, 2001, or whether he is objecting to them. The Examiner is hereby requested to indicate in his next Office Action whether he is accepting said drawings as fully compliant formal drawings

The Examiner rejected claims 1-10 and 12-33 under 35 U.S.C. §102(e) as being anticipated by Bates. In response to this rejection, Applicants are hereby amending claims 1, 2, 12, 13, 20-22, 27, 28, and 30-33 to more particularly point out the subject matter of their invention. As amended, Applicants' claims are patentably distinct over the prior art, for the following reasons.

In general, Bates is directed to a non-real-time method for preventing viral outbreaks, whereas Applicants' invention pertains to real-time methods (and corresponding apparati and computer-readable media) for minimizing damage caused by actual outbreaks of computer viruses. As used herein, "computer virus" broadly includes any and all types of malicious computer code.

Independent claim 1 recites that the first computer virus status mode is entered "in response to a first computer virus outbreak report." This implies that there has been an outbreak of a computer virus (as that term is broadly defined). There is no such

outbreak of a computer virus in Bates. The passage of Bates cited by the Examiner on this point (column 1, lines 13-52) is irrelevant, because said passage is a discussion of the prior art.

Secondly, claim 1 as amended recites that the first computer virus alert time is generated "automatically." This is in sharp contrast to the time entry cited by the Examiner in Bates (Figure 7, item 214), which is a manual (non-automatic) entry entered by a human to help categorize whether a certain file should be considered to be trustworthy or untrustworthy. The passage in Bates (column 7, lines 20-35) cited by the Examiner is not relevant to this issue.

The last two clauses of claim 1 as amended recite that the first computer virus alert time is used in a "real time" determination as to whether the computer content will be executed. This differs from Bates in the following respects. Looking at the passage of Bates cited by the Examiner (column 12, lines 59-65), it is evident that Bates' timestamp is used only to determine whether the file that is being inspected has been changed. If so, it will be virus-scanned. Time information in Bates is used to create virus status information that is stored on a remote server 30 (not within the confines of the network being protected as in the present invention). This virus status information is used subsequently (not in real time as recited in Applicants' claim 1) to determine whether the file is safe to execute or not.

Similar amendments are being made herein to Applicants' other independent claims. For example, claim 12, which is an independent apparatus claim, is being amended to recite "automatically recovering a preselected virus access control time corresponding to said virus status mode." There is nothing resembling this in Bates.

Other points of novelty in Applicants' independent claims include the firewall module of claim 30 and the firewall means of claim 33. A firewall is not suggested in Bates.

For the above reasons, Applicants' independent claims are patentably distinct over the prior art, including Bates.

The patentability of Applicants' dependent claims follows from the patentability of Applicants' independent claims. In addition, Applicants' dependent claims contain numerous additional novel features that are not suggested by the prior art. For example, claim 3 recites that the first access control time is a relative time stamp. The relative time stamp overcomes the problems of time disparity among different computers on the network, insuring that all said computers receive uniform protection. Specification page 4, paragraph 0010. This relative time stamp is not suggested by the prior art.

Claims 7, 17, and 21 recite a hash value used to identify computer content. Bates does not suggest a hash value. His CRC is not a hash value. Column 12, lines 55-58.

Claim 24 recites second, third, and fourth control parameters, which enable a huge degree of granularity in defending an enterprise network against real time attacks of malicious computer code. These parameters are not suggested by Bates.

For the above reasons, the Examiner is requested to withdraw his rejection of claims 1-10 and 12-33; and to allow claims 1-10, 12-17, and 20-33 as amended.

The Examiner rejected claim 11 under 35 U.S.C. §103(a) as being unpatentable over Bates in view of Norton AntiVirus Corporate Edition (hereinafter "Norton").

Applicants traverse this rejection.

The Examiner cites Norton for the recitations of "removing the computer content from the E-mail body" and "denying execution of the computer content." However, the passages of Norton cited by the Examiner do not support these recitations. The passage on page 15 of Norton states: "If the file is cleaned, the virus is successfully and completely removed from the file," i.e., Norton uses the word "removed." However, Norton says that the virus is removed, not that the computer content is removed as recited in claim 11.

Similarly, the passage at page 22 of Norton fails to suggest "removing the computer content from the E-mail body." In fact, the passage at page 22 teaches away from this recitation, because it states: "Norton AntiVirus scans only the attachments associated with email. There is no need to scan the message itself, as mail messages are not subject to computer viruses."

Similarly, the two passages of Norton cited by the Examiner do not suggest the recitation of denying execution of the computer content.

For the above reasons, the Examiner is requested to withdraw his rejection of claim 11; and to allow claim 11 as amended (by virtue of the fact that claim 11's parent claim 1 is being amended).

Applicants believe that this application is now in condition for allowance of all claims remaining herein, claims 1-17 and 20-33 as amended, and therefore an early Notice of Allowance is respectfully requested. If the Examiner disagrees or believes that for any other reason direct contact with the Applicants' attorney would help

advance the prosecution of this case to finality, he is invited to telephone the undersigned at the number given below.

Respectfully submitted,

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